

Reopen Hoffa Case, High Court Orders

CHATTANOOGA, Tenn. (AP) — U.S. District Court Judge Frank W. Wilson has been ordered by the U.S. Supreme Court to reopen the jury tampering case against James R. Hoffa to see if government wiretapping violated the Teamster president's rights.

The order was delivered yesterday to the clerk of court here, where Hoffa was convicted in 1964 on charges of jury tampering.

The high court directed Wilson to determine whether the government engaged in eavesdropping and if Hoffa's rights were violated as a result under the Fourth Amendment.

"THE DISTRICT COURT must develop the relevant facts and decide if the government's electronic eavesdropping surveillance was unlawful," the Supreme Court told Wilson. Accompanying the order was a copy of the March 24 decision by the Supreme Court involving wiretapping by government agents.

At the same time the order was filed, Morris Shenker, one of Hoffa's lawyers, presented a motion for bail for the jailed union leader.

The motion asked for a hearing on bond, charging Hoffa is serving his eight-year prison sentence despite "Unit-

ed States Supreme Court's setting aside and vacating his judgments of conviction" through its wiretap decision.

"AS A MATTER of fairness, the defendant should be granted bail until this court has an opportunity to conduct the hearings recently ordered by the Supreme Court," the motion said.

The action also charged the government "has intentionally suppressed evidence" for more than five years and the delay in the defense motion "was not caused by the defendant but by the government."

The Justice Department has admitted overhearing two defendants in the case "during the course of electronic surveillance directed against others."

HOWEVER, THE department did not say whether one of the defendants was Hoffa or another of his three co-defendants, Thomas Ewing Parks and Ewing King, both of Nashville, and Larry Campbell of Detroit.

During the past five years Hoffa has filed four new trial motions, and all have been turned down.